

AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-2-2, Definitions, is hereby amended by deleting the definition of “Sidewalk” in Subsection 30-2-2.11.

Section 2. That Section 30-2-2, Definitions, is hereby amended by moving the definition of “Green Space” from Subsection 30-2-2.13 to Subsection 30-2-2.7 and placing it in alphabetical sequence.

Section 3. That Section 30-2-1, Definition Index, is hereby amended by changing the ordinance reference for “Sidewalk” from “30-2-2.11” to “30-2-2.12”, by changing the ordinance reference for “Green Space” from “30-2-2.13” to “30-2-2.7”, and by adding the following in alphabetical sequence:

“City of Greensboro Sidewalk Manual	30-2-2.12
Permanent Dead-End Street	30-2-2.12
Sidewalk Easement	30-2-2.4
Stub Street	30-2-2.12
Through Street	30-2-2.12”

Section 4. That Section 30-2-2.12, Streets and Drives, is hereby amended by adding the following definitions in alphabetical sequence:

“City of Greensboro Sidewalk Manual. The administrative policies, procedures, and standards of the City of Greensboro, as applicable to the design and construction of sidewalks.

Permanent Dead-End Street. A street open to traffic at one end and, due to physical or environmental constraints, impracticable to extend beyond its present terminus at the other end.

Sidewalk. An improved surface intended to facilitate pedestrian access to or along adjacent streets, properties, or structures, and which is located within the right-of-way of a public street, within the common elements (common area) of a private street, within a sidewalk easement, or along the length of any façade abutting parking areas.

Specified Pedestrian Destination. Any of the following:

- (1) A public or private elementary school, middle school, or secondary school, or any college or university.
- (2) A park; a recreational or cultural facility; or a public greenway trail, or similar amenity.
- (3) A retail commercial or restaurant facility.
- (4) A public transportation boarding or alighting site, as designated by the operator(s) of a public transportation service.

Strategic Pedestrian Route. A street, along which planned or established point(s) of pedestrian ingress or egress to a specified pedestrian destination are situated.

Stub Street. A street having one end open to traffic, but which is neither a cul-de-sac street nor a permanent dead-end street.

Through Street. A street that is not a cul-de-sac street and which intersects with at least two other streets that are not cul-de-sac streets.”

Section 5. That Section 30-2-2.4, Easements, is hereby amended by adding the following definition in alphabetical sequence:

“*Sidewalk Easement.* An easement which grants to the City Council the right to install and maintain a sidewalk therein, and which grants public access for the use thereof.”

Section 6. That Section 30-1-3, Purpose, is hereby amended by adding a new subsection 30-1-3.19 to read as follows:

“30-1-3.19. Sidewalk Purposes.

The sidewalk regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Facilitate the movement of pedestrians in an efficient manner;
- (B) Provide a safe pedestrian environment;
- (C) Provide sidewalks in areas where walking is anticipated throughout the jurisdiction;
- (D) Ensure pedestrian connections to schools, parks, shopping facilities, green spaces, and public recreation facilities;
- (E) Provide for the coordination of pedestrian facilities within subdivisions with existing pedestrian facilities or planned pedestrian facilities;
- (F) Support the adopted Greensboro Walkability Policy; and
- (G) Promote public health through the provision of convenient exercise opportunities.”

Section 7. That Section 30-6-13.5, Sidewalks, is hereby amended by rewriting subsection (A) and by adding new subsections (B) and (C) to read as follows, and by reordering the existing subsection (B) to become subsection (D).

- “(A) *General.* Sidewalks shall be installed along public streets which are within or abut a subdivision, and at other locations as specified below.
- (1) Required Locations:
 - (a) Along both sides of new and existing major thoroughfare streets and minor thoroughfare streets, not otherwise subject to lesser requirements.
 - (b) Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the TRC, both sides may be required where one or more of the following conditions exists:
 - (i) The current or projected average daily traffic volume is greater than 8,000 vehicles per day.
 - (ii) The posted speed limit is greater than 35 miles per hour.
 - (iii) The street is a strategic pedestrian route to a specified pedestrian destination located within one quarter mile, as measured along the street centerline.
 - (iv) Other pedestrian safety, access, or circulation needs are identified.
 - (c) Along one side of new and existing local streets not otherwise subject to lesser requirements.
- (2) Exempt Locations:
 - (a) Along new and existing local and sub-collector residential streets where, upon review by the TRC, the following conditions are found by GDOT to exist:
 - (i) The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and
 - (ii) The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and
 - (iii) There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.
 - (b) Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.
 - (c) Along streets that are North Carolina Department of Transportation controlled access facilities.

- (B) *Extent.* Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets which the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed, based upon criteria specified in the City of Greensboro Sidewalk Manual.
- (C) *Construction Standards.* All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in the most recent version of the City of Greensboro Sidewalk Manual.”

Section 8. That Section 30-5-1, Development Standards for All Uses, is hereby amended by adding a new subsection 30-5-1.5 to read as follows:

“30-5-1.5 Sidewalks.

- (A) *General:* Sidewalks shall be installed along public streets which abut a property subject to site plan approval by the Technical Review Committee.
- (1) Required Locations:
 - (a) Along the abutting side of major thoroughfare streets and minor thoroughfare streets, not otherwise subject to lesser requirements.
 - (b) Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the TRC, the abutting side may be required where one or more of the following conditions exists:
 - (i) The current or projected average daily traffic volume is greater than 8,000 vehicles per day.
 - (ii) The posted speed limit is greater than 35 miles per hour.
 - (iii) The street is a strategic pedestrian route to a specified pedestrian destination located within one quarter mile, as measured along the street centerline.
 - (iv) Other pedestrian safety, access, or circulation needs are identified.
 - (c) Along one side of new and existing local streets not otherwise subject to lesser requirements.

- (2) Exempt Locations:
- (a) Along new and existing local and sub-collector residential streets where, upon review by the TRC, the following conditions are found by GDOT to exist:
 - (i) The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and
 - (ii) The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and
 - (iii) There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.
 - (b) Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.
 - (c) Along streets that are North Carolina Department of Transportation controlled access facilities.
- (B) *Extent.* Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets which the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed, based upon criteria specified in the City of Greensboro Sidewalk Manual.
- (C) *Construction Standards.* All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in the most recent version of the City of Greensboro Sidewalk Manual.”

Section 9. That Section 30-3-9, Sureties or Improvement Guarantees, is hereby amended by adding a new subsection 30-3-9.5 to read as follows:

“30-3-9.5 Fee in Lieu of Required Sidewalk Installation.

Where the installation of sidewalk is required by an ordinance of the City, and the City Engineer determines that installation at the time of development would conflict with a city, state, or federal roadway project planned or programmed to begin construction within four years, the developer shall be required to submit a fee in lieu of such installation. Fees submitted in lieu of required sidewalk installation shall be in an amount of the entire estimated cost of completing the installation, based on current contract unit prices, as approved by the City Engineer. All fees collected by the City pursuant to this subsection shall be deposited in the Street and Sidewalk Revolving Fund and used only for construction of sidewalks on the site, or in the street right-of-way abutting the site, for which the fee is collected. Use of submitted funds to construct said sidewalks shall be coordinated with the appropriate phase of the conflicting roadway project. To the extent that the conflict which necessitated the fee-in-lieu is eliminated by cancellation or alteration of the conflicting roadway project, funds submitted for construction of sidewalks in coordination with said project shall be refunded to the developer.”

Section 10. That Section 30-9-11.4, Sections Affected, is hereby amended by inserting a new subsection (D) to read as follows and by renumbering the present subsections (D) through (P) to become (E) through (Q):

“(D) Section 30-5-1.5: Sidewalks (see most recent version of City of Greensboro Sidewalk Manual for guidance)”.

Section 11. That Section 30-9-11.4, Sections Affected, is hereby amended by rewriting new subsection (O) to read as follows:

“(O) Section 30-6-13.5: Sidewalks (see most recent version of City of Greensboro Sidewalk Manual for guidance)”.

Section 12. That Section 30-5-3.4, Design Standards for Parking, Stacking, and Loading, is hereby amended by rewriting subsection (A), Design, as follows:

- “(A) *Design:* Parking facilities shall be designed and constructed to:
- (1) Allow unobstructed movement into and out of each parking space without interfering with fixed objects or vehicles.
 - (2) Minimize delay and interference with traffic on streets and drives.
 - (3) Maximize sight distances from parking lot exits and access drives.
 - (4) Require all off-street parking spaces in parking lots to have access from parking lot driveways, private drives, or private streets and not directly from public streets.”

Section 13. That Section 30-5-5.17, Sandwich Board Signs, is hereby amended by deleting the final sentence of subsection (C), Location.

Section 14. That Section 30-6-13.3 (H)(7), Sidewalks, is hereby deleted.

Section 15. That Table 30-7-1-3, Density Limits in Upper and Lower Randleman Lake Watersheds in Dwelling Units Per Acre & % Built-Upon Area, is hereby amended, adding a superscript “¹” following the word “Area” in the title, and inserting the following as Footnote (1), immediately following the table text:

“¹ If, compared to the sidewalk installation requirements effective through December 31, 2002, the sidewalk installation requirements contained in Ordinance Number 02-239, effective January 1, 2003, increase the amount of sidewalk built-upon area, thereby exceeding the maximum built-upon area allowable under the High Density Option or necessitating additional stormwater control, treatment, or mitigation measures, the Technical Review Committee may approve reductions to required street pavement widths, sidewalk widths, driveway widths, or off-street parking area, so as to result in the same built-upon area as under the previous sidewalk installation requirements.”

Section 16. That Table 30-7-1-4, Density Limits in Other Water Supply Watersheds in Dwelling Units Per Acre & % Built-Upon Area, is hereby amended, adding a superscript “¹” following the word “Area” in the title, and inserting the following as Footnote (1), immediately following the table text:

“¹ If, compared to the sidewalk installation requirements effective through December 31, 2002, the sidewalk installation requirements contained in Ordinance Number 02-239, effective January 1, 2003, increase the amount of sidewalk built-upon area, thereby exceeding the maximum built-upon area allowable under the High Density Option or necessitating additional stormwater control, treatment, or mitigation measures, the Technical Review Committee may approve reductions to required street pavement widths, sidewalk widths, driveway widths, or off-street parking area, so as to result in the same built-upon area as under the previous sidewalk installation requirements.”

Section 17. That Table 30-7-2-3, General Watershed Area Performance Scoresheet, is hereby amended, adding the following in numerical sequence, to the accompanying Definitions, Explanations, and Standards:

“2. If, compared to the sidewalk installation requirements effective through December 31, 2002, the sidewalk installation requirements contained in Ordinance Number 02-239, effective January 1, 2003, increase the amount of sidewalk built-upon area, thereby reducing the number of built-upon area points earned, the Technical Review Committee may approve reductions to required street pavement widths, sidewalk widths, driveway widths, or off-street parking area, so as to result in the same built-upon area as under the previous sidewalk installation requirements.”

Section 18. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 19. This ordinance shall become effective January 1, 2003.